

REMARKS

Claims 1, 2, 5, 6, 7, 12, 15, 16, 19, 20, 25, 27, 28, 29 and 30 are now pending in the present application. The election, with traverse, of Group E – Claims 1, 2, 5, 6, 7, 12, 15, 16, 19, 20, 25, 27, 28, 29 and 30 is hereby affirmed. Claims 3, 4, 8, 9, 10, 11, 13, 14, 17, 18, 21, 22, 23, 24, 26, 31, 32, 33, and 24 have been withdrawn pursuant to a restriction requirement. Additionally, Claims 1, 7, 12, 19, 25, and 30 have been amended and no claims have been added.

In the Office Action, the Examiner has objected to the drawings under 37 CFR §1.83(a) in that the drawings are deemed not to show every feature of the invention. Specifically, the Examiner contends that the “at least one projectile stopping panel” (Claims 15, 16), “the impact cushioning panel” (Claim 28), and “the projectile stopping panel comprising loosely-entangled fibers (Claim 29) are not shown in the drawings. Applicant submits that it is not a requirement of 37 CFR §1.83(a) that every possible embodiment of the invention be shown, so long as the features of the invention are clearly indicated in the drawings. Reconsideration of this rejection is requested. Applicant submits that all of the features of the invention as claimed are, in fact, shown in the drawings regardless of the particular embodiment selected for illustration. Applicant has elected, with traverse, Species E, which Examiner stated in his Office Action dated June 28, 2005 is shown in FIGS. 15 and 16.

With regards to the “at least one projectile stopping panel” of Claims 15 and 16, the specification, in paragraph 0042 of the published application, refers in the description of FIG. 1 to “at least one projectile-trapping panel 5.” Also, in paragraph 0065, it is disclosed that “the projectile with the piece or pieces attached thereto is more easily stopped by any further panel provided for stopping the projectile, such as one or more panels 5.” Likewise, the specification at paragraph 0070 refers to “at least one projectile-stopping panel, or trapping panel”. The above references in the specification indicate that the terms “projectile trapping panel” and “projectile stopping panel” can be used interchangeably. Such panel is clearly marked in FIGS. 1, 2, and 9 by the reference numeral 5. Indeed, the detailed description of FIG. 16, in paragraph 0069 of the specification, a reference is made to FIGS. 1 and 9. Consequently, the “at least one projectile stopping panel” referred to in claims 15 and 16 is clearly shown in the drawings already submitted with the application.

As to the Examiner's contention that "the projectile stopping panel comprising loosely entangled fibers" in claim 29 is not shown in the drawings, Applicant respectfully refers Examiner to the argument in the preceding paragraph that the terms "projectile stopping panel" and "projectile trapping panel" may be used interchangeably. To the extent Examiner believes that the "loosely entangled fibers" portion of claim 29 is not shown, Applicant refers Examiner to paragraph 0055 of the specification, wherein it is disclosed that "the projectile-trapping panels 5 ... may comprise a mass of loosely-entangled microfibers 15, FIGS. 1 and 2." The same paragraph goes on to state that "the term 'microfiber' must be understood as encircling all kind of fibers, filaments, threads and the like." Furthermore, the term "loosely entangled" is defined in paragraph 0057 of the specification. In the drawings already submitted with the application, FIGS. 1 and 2 clearly show the projectile stopping panel, identified by reference numeral 5, and the loosely-entangled microfibers, identified by the reference numeral 15. Again, the detailed description of FIG. 16 in paragraph 0069 of the specification ends with a reference to FIG. 1, thus the "projectile stopping panel comprising loosely entangled fibers" in claim 29 is clearly shown in the drawings already submitted.

Applicant also respectfully submits that the "impact cushioning panel" referred to in claim 28 is shown in the drawings already submitted. The specification discloses "at least one impact cushioning panel 6, see FIG. 1" in paragraph 0043. Again, Applicant respectfully refers Examiner to the description of FIG. 16, paragraph 0069, which also refers to FIG. 1. Because the impact cushioning panel is shown in FIG. 1 and identified by the reference numeral 6, Applicant requests that Examiner withdraws his objection under 37 C.F.R. 1.83(a) that the impact cushioning panel referred to in claim 28 is not shown in the drawings.

Applicant has carefully studied the outstanding Office Action. The present Response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of this application are respectfully requested. No new matter has been added by any of the amendments. Applicant respectfully requests reconsideration and withdrawal of the Examiner's rejections in view of the foregoing amendments and following remarks.

CLAIM REJECTIONS – 35 U.S.C. § 112, Second Paragraph**Claims 5 and 6**

The Examiner has rejected claims 5 and 6 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter, which Applicant regards as the invention. In particular, the Examiner stated:

Claims 5 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claim 5 recites, "wherein the pieces for part of at least one high-tensile strength fabric *out into said pieces*." (Emphasis added). It is not clear what the latter part of this claim sentence is supposed to mean and appears to be a typographical error. In view of this indefinite language, the Examiner will interpret the claim as requiring pieces that are part of a high-strength fabric.

This rejection is respectfully traversed. It is apparent that Examiner has either misread the text of claim 5 or received a poor quality copy of the application. Applicant has looked through the text of the CIP application as submitted and the published application available from the USPTO website, and in both, the end of claim 5 reads "cut into said pieces", not "out into said pieces". As claim 6 has been rejected as depending from a rejected claim, the rejection should also be withdrawn as to claim 6. Therefore, Applicant respectfully requests reconsideration and withdrawal of the Examiner's rejection of claims 5 and 6 based upon 35 U.S.C. § 112, second paragraph.

CLAIM REJECTIONS – 35 U.S.C. § 102**Claims 1, 2, 5, 12, 15, 16, 27 and 28**

The Examiner has rejected claims 1, 2, 5, 12, 15, 16, 27 and 28 under 35 U.S.C. § 102(e) as being anticipated by Anderson et al. (U.S. Patent No. 6,718,861). Such rejection under §102 for anticipation requires that the single reference teach each and every element or step of the rejected claim. *See, Atlas Powder v. E.I. DuPont*, 750 F.2d 1569, 224 USPQ 409 (Fed. Cir. 1984). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15

U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Examiner's rejection under §102 fails to meet this test.

Examiner has stated that, with respect to claim 1, Anderson discloses a ballistic panel 120 for providing ballistic protection comprising: a plurality of deformable pieces that are arranged side by side and detachable as shown in Figs. 2 and 6A-6D. Claim 1, as amended, is novel despite the teachings of Anderson. Contrary to Examiner's reading of Anderson, Applicant submits that Anderson does not teach a plurality of deformable pieces that are arranged side by side on the panel. The panel disclosed in Anderson actually has two components: (1) the plug layer; and (2) the plugs themselves. In the detailed description of FIGS. 6A-6D, Anderson describes the plug layer as follows: "a multiplicity of plugs can be retained within a multiplicity of openings in the plug layer..." (col. 5, l. 4). The Anderson specification goes on to state that "the plugs 140 can be formed into various complimentary geometric shapes so as to form a *semi-continuous surface area* prior to impact by a bullet" (col. 6, l. 45) and "the desired results being the formation of a *semi-continuous plug layer* for presentation to a bullet." (col. 6, l. 54) (Emphasis added). Furthermore, an inspection of FIGS. 6A-6D reveals that the Anderson invention contemplates some plug layer material being present in the spaces between the plugs. As such, the plugs in the Anderson invention are not arranged "side by side" insofar as they form a semi-continuous array of plugs.

In the claimed invention of the present application, however, the ballistic panel is made up of deformable pieces that are arranged side by side forming a continuous layer of deformable pieces, with each side of every deformable piece touching one side of each adjacent deformable piece. FIGS. 15 and 16 clearly show that the deformable pieces (which are analogous to the plugs of the Anderson patent) are attached side by side to each other. Because the deformable pieces of the Anderson invention are not arranged side by side, while the deformable pieces of the present invention are arranged side by side, Anderson does not teach each and every element of the claimed invention of the present application. Therefore, Anderson does not anticipate Claim 1 of the claimed invention and Applicant respectfully requests Examiner to withdraw this rejection.

As to the rejection of Claim 2, Applicant refers Examiner to the above arguments against

rejection of Claim 1 and respectfully requests Examiner to withdraw his rejection of Claim 2 in light of such arguments.

With regards to the rejection of Claim 5, Applicant refers Examiner to the above arguments against rejection of Claim 1 and respectfully requests Examiner to withdraw his rejection to Claim 5 in light of such arguments. Furthermore, Anderson does not disclose a high-tensile strength fabric *cut into pieces* as claimed in Claim 5 of the present invention. The high-tensile strength fabric of the Anderson patent is used to absorb the energy of the projectile/plug combination (see Anderson, col. 5, l. 19), whereas in the claimed invention the high-tensile strength fabric is used as the deformable piece which attaches to the projectile, increasing the projectile's surface area (see paragraph 0068 of the published application for the claimed invention). This major difference, along with the arguments against the rejection of Claim 1, demonstrates that Anderson does not anticipate Claim 5, and Applicant respectfully requests Examiner to withdraw this rejection in light of such arguments. (It is also important to note the fact that, as argued under the §112 Second Paragraph section above, the word Examiner read as "out" in Claim 5 was, in fact, the word "cut" in both the application submitted to the USPTO and in the published application.)

Claim 12, as amended, is novel despite the teachings of Anderson. Claim 12 has been amended to include the words "consisting of" in place of the word "comprising" in order to render the Markush group proper. Also, to the extent Examiner is rejecting Claim 12 because it depends from Claim 1, Applicant refers Examiner to the arguments above against rejection of Claim 1. Anderson does not teach each and every element of Claim 12, including all of the limitations of Claim 1, of the claimed invention in the present application. Therefore, Anderson does not anticipate Claim 12 of the claimed invention and Applicant respectfully requests Examiner to withdraw this rejection.

As to Examiner's rejection of Claim 15 as anticipated by Anderson, Applicant respectfully refers Examiner to the arguments against anticipation set forth above for Claim 1. Like Claim 1, Claim 15 claims "a plurality of side-by-side deformable pieces..." The deformable pieces of Claim 15 are distinct from the "plugs" of the Anderson invention for the same reasons set forth in the arguments against rejection of Claim 1. Therefore, Applicant respectfully requests Examiner to withdraw this rejection.

With regards to Examiner's rejection of Claim 16, Applicant respectfully submits that Examiner has misread the Anderson patent. Examiner states in the Office Action that "Anderson discloses a ballistic panel having a front side comprising a panel 110 and a rear side comprising a panel 130." What Anderson has actually disclosed is a ballistic panel having a front side with an *accelerating layer 110*, a plug panel in the middle layer, then an energy absorbing panel on the rear side. The claimed invention, however, claims *a ballistic panel* at the front side (which is described in Claim 15, subpart (i)) and a projectile stopping panel on the rear side. Therefore, the Anderson patent does not teach each and every element of Claim 16, which means it does not anticipate Claim 16 of the claimed invention. For the foregoing reasons, and the reasons set forth against rejection of Claim 15 above, Applicant respectfully requests Examiner to withdraw this rejection.

Claim 25, as amended, is novel despite the teachings of Anderson. Claim 25 has been amended to include the words "consisting of" in place of the word "comprising" in order to render the Markush group proper. Also, to the extent Examiner is rejecting Claim 25 because it depends from Claim 15, Applicant refers Examiner to the arguments above against rejection of Claim 15. Anderson does not teach each and every element of Claim 25, including the limitations contained in Claim 15, of the claimed invention in the present application. Therefore, Anderson does not anticipate Claim 25 of the claimed invention and Applicant respectfully requests Examiner to withdraw this rejection.

As to Examiner's rejection of Claim 27 as being anticipated by Anderson, Applicant respectfully refers Examiner to the arguments set forth above against rejection of Claims 15 and 16, from which Claim 27 depends. Furthermore, Examiner states in the Office Action, "refer to Fig. 1." An examination of FIG. 1 of the Anderson patent shows three layers (an accelerating layer, a plug layer, and an energy absorbing layer), while the Claim 27 teaches a minimum of two layers (at least one ballistic panel and at least one projectile stopping panel). Also, FIG.1 of the Anderson patent does not show a "pack" as is claimed in Claim 27. FIG.1 of the Anderson patent is merely a close-up view of one of the plugs of the Anderson invention. Anderson does not teach each and every element of Claim 27, including the limitations contained in Claims 15 and 16, of the claimed invention in the present application. Therefore, Anderson does not anticipate Claim 27 of the claimed invention and Applicant respectfully requests Examiner to

withdraw this rejection.

With regards to Examiner's rejection of Claim 28, Applicant respectfully refers Examiner to the arguments set forth against rejection of Claim 27 (from which Claim 28 depends) above. Furthermore, the "impact cushioning panel" of Claim 28 in the claimed invention is distinct from the "energy absorbing layer" of the Anderson patent. Specifically, the "impact cushioning panel" of the claimed invention is neither designed nor intended to absorb the energy of the projectile. The "impact cushioning panel" does, however, absorb what little, if any, energy is transferred to it by the "projectile stopping panel". This is evidenced by the fact that the specification discloses that the "projectile stopping panel" must be made of a stronger material (such as high tensile strength fibers) than the "impact cushioning panel", which can be made of such common materials as polyester threads, synthetic threads, or ethyl vinyl alcohol. For the reasons set forth above, Applicant respectfully submits that Anderson does not teach each and every element of Claim 28, including the limitations contained in Claims 15, 16, and 27, and requests Examiner to withdraw this rejection.

Claims 1, 5, 6, 7, 15, 16, 19, 20, 27, 28, 29, 30

The Examiner has rejected claims 1, 5, 6, 7, 15, 16, 19, 20, 27, 28, 29 and 30 under 35 U.S.C. § 102(a) as being anticipated by Meyer (U.S. Patent No. 2,723,214). Such rejection under §102 for anticipation requires that the single reference teach each and every element or step of the rejected claim. *See, Atlas Powder v. E.I. DuPont*, 750 F.2d 1569, 224 USPQ 409 (Fed. Cir. 1984). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Examiner's rejection under §102 fails to meet this test.

With respect to Claim 1, Examiner has stated that "Meyer discloses a ballistic panel comprising a plurality of deformable pieces 7 arranged side by side and detachably retained as

seen in FIGS. 1 and 3.” As set forth below, FIGS. 1 and 3 of the Meyer patent differ significantly from the invention claimed in Claim 1, as amended, of the present application with regards to both the Meyer figures themselves and the description of the figures in the Meyer specification. Specifically, one major difference between FIGS. 1 and 3 of the Meyer invention is that the Meyer invention (both the figures and the specification) uses “rigid plates”, while the claimed invention in the present application uses “deformable pieces.” This difference becomes apparent upon examination of FIG. 3 of the Meyer patent, which illustrates how the Meyer invention behaves upon impact by projectiles at four different locations relative to the layers of rigid plates. In each instance of a bullet impinging the invention illustrated by FIG. 3 of Meyer, the rigid plate or plates which come into contact with the bullet do not change shape. In each case, the rigid plate only changes position relative to its starting point. Further evidence that rigid plates are the only type of piece used in the Meyer invention can be found in the specification, where, in virtually every instance, the word “rigid plate” is used to describe the pieces used. The term “rigid plate” is also used throughout the claims of the Meyer patent. On the other hand, the claimed invention of the present application specifically uses “deformable pieces” to help stop the projectile. In the claimed invention, the “deformable pieces” actually change shape, become a part of, and travel with, the projectile into the next layer, which is not the case in the Meyer invention. The difference between the use of “deformable pieces” in the claimed invention, and the use of “rigid plates” in Meyer can be most easily seen by comparing FIG. 16 of the present application with FIG. 3 of Meyer.

One other difference between the Meyer invention’s “rigid plate” usage and the present invention’s use of “deformable pieces” is disclosed in the specifications of both inventions. In the Meyer specification (column 4 line 7), it is stated that “a large portion of the energy which the bullet has upon striking the armor may be returned to it and therefore it may be ejected outwardly from the armor with considerable force.” On the contrary, the present invention states (in paragraph 0069 of the published application) that deformable “piece 28 impinged by the bullet is removed from the panel and the piece attaches to the bullet... This attachment increases the size, volume and shape parameters of the bullet and, therefore, the bullet is more easily trapped into the mass or against the surface of any further ballistic panel.” In other words, the present invention traps, or stops the bullet/deformable piece combination, while the Meyer invention

converts the kinetic energy of the bullet to potential energy, then back into kinetic energy when it “ejects” the bullet outwardly from the armor. This major difference in the operation of each invention is further proof that Meyer does not teach the invention claimed in Claim 1 of the present application.

Because the rigid plates of the Meyer invention are not deformable and eject the projectile away from the armor, while the deformable pieces of the present invention change shape and trap the projectile, Meyer does not teach each and every element of the claimed invention of the present application. Therefore, Meyer does not anticipate Claim 1 of the claimed invention and Applicant respectfully requests Examiner to withdraw this rejection.

With respect to Examiner’s rejection of Claims 5 and 6, Applicant respectfully refers Examiner to the arguments above for patentability of Claim 1 because Claims 5 and 6 ultimately depend from Claim 1. Examiner has also rejected Claims 5 and 6 over Meyer because “the pieces 7 comprise glass fabric (col. 2, ll. 8-12) and form a plurality of layers that are offset from one another as shown in Figs. 5 and 6.” At the outset, Applicant notes that nowhere in the present application is “glass fabric” discussed. Claims 5 and 6 do, however, discuss using a “high tensile strength fabric” cut into detachable pieces. Furthermore, Meyer goes on to describe the possible materials for the “rigid plates” (col. 7, ll. 6-10) as “glass fabric impregnated with polyester resins.” The impregnation of resin into glass fabric would give it the rigid qualities discussed under the rejection of Claim 1 above. The present invention, however, uses a high-tensile strength fabric that is soft (i.e. deformable) as opposed to the use in Meyer of rigid plates composed of resin impregnated glass fabric. As such, the Meyer invention is clearly distinct from the claimed invention and Meyer does not teach each and every element of the claimed invention. Therefore, Meyer does not anticipate Claims 5 and 6 of the claimed invention and Applicant respectfully requests Examiner to withdraw this rejection.

As to Examiner’s rejection of Claim 7 on the basis that Meyer discloses “deformable pieces”, Applicant respectfully refers Examiner to the discussion under the rejection of Claim 1 above regarding the use of “rigid plates” in Meyer. To address the rejection of Claim 7 on the basis that Meyer discloses using “glass fibers”, Applicant submits that Meyers actually discloses the use of resin impregnated glass fibers (as discussed above in the arguments against rejection of Claims 5 and 6) and the present application does not discuss the use of glass fibers at all. As

such, the claimed invention is clearly distinct from the Meyer invention and Meyer does not teach each and every element of the claimed invention. Therefore, Meyer does not anticipate Claim 7, as amended, of the claimed invention and Applicant respectfully requests Examiner to withdraw this rejection.

Examiner has rejected Claim 15 on the basis that “Meyer discloses a panel comprising side-by-side deformable pieces that are detachably retained and at least one projectile stopping panel 2’, 4’, 6’ as shown in FIG. 3.” With respect to a rejection of Claim 15 on the basis that Meyer discloses “deformable pieces”, Applicant respectfully refers Examiner to the discussion above against the rejection of Claim 1 regarding the use in Meyer of “rigid plates”. Furthermore, Applicant submits that the “projectile stopping panel” of the claimed invention is distinct from the elastic layers identified in FIG. 3 of the Meyer patent as 2’, 4’ and 6’. Specifically, the Meyer patent (at col. 7, ll. 25-30) describes the material used in the elastic layers as one “selected from a wide group of elastomers, it being required merely that the material act in a manner comparable to a layer composed of a multitude of small coil springs having their axes parallel one to another and normal to the surface of said layer.” In other words, the elastic layer of the Meyer invention is one that would cause the projectile to bounce off of the armor.

In the present invention, on the other hand, the “projectile stopping panel” acts more like a net (which would catch the projectile) than like a layer of coiled springs (which would cause the projectile to bounce off the armor, as in the Meyer invention). The projectile catching net is created by the “compacted mass of loosely-entangled fibers” described in paragraph 0070 of the published application for the claimed invention. When the projectile/deformable piece combination comes into contact with the projectile stopping panel of the claimed invention, the loosely-entangled fibers will deform as they absorb the kinetic energy from the projectile and will stay deformed as a result of being hit by the projectile. The elastic layer of the Meyer invention, on the other hand, transforms the kinetic energy of the bullet to potential energy then transforms it back into kinetic energy in the bullet in the opposite direction as the elastic layer changes back to its original shape. The major differences in the properties of the “projectile stopping panel” of the claimed invention and the “elastic layers” identified as 2’, 4’ and 6’ in the Meyer patent, and the fact that the claimed invention uses deformable pieces while the Meyer invention uses rigid plates, both illustrate that Meyer does not teach each and every element of the claimed invention.

Therefore, Meyer does not anticipate Claim 15 of the claimed invention and Applicant respectfully requests Examiner to withdraw this rejection.

With regards to Examiner's rejection of Claim 16 on the basis of Fig. 3 of Meyer, Applicant respectfully refers Examiner to the arguments against rejection of Claim 15 above, including the arguments against rejection of Claim 1 as applied to the rejection of Claim 15. In the same manner that Meyer does not teach each and every element of Claim 15, it does not teach each and every element of Claim 16. Therefore, Meyer does not anticipate Claim 16 of the claimed invention and Applicant respectfully requests Examiner to withdraw this rejection.

As to Examiner's rejection of Claim 19 (which depends from Claim 16), Applicant refers Examiner to the arguments against rejection of Claims 1, 15 and 16 above. Applicant also refers Examiner to the arguments against rejection of Claims 5, 6 and 7 above with regards to the rejection of Claim 19 on the basis that Meyer discloses "glass fiber pieces that are detachably retained." As described above, the "glass fiber pieces" in Meyer are actually rigid pieces because they have been impregnated with resins, whereas the high-tensile strength fabrics of the claimed invention are soft (i.e. deformable). As such, Meyer does not teach each and every element of Claim 19, as amended. Therefore, Meyer does not anticipate Claim 19 of the claimed invention and Applicant respectfully requests Examiner to withdraw this rejection.

As to Examiner's rejection of Claim 20 (which depends from Claim 19), Applicant refers Examiner to all of the arguments against rejection of Claim 19 above. Fig. 6 of Meyer also differs from the invention of Claim 20 because the rigid plates that make up each successive layer in Fig. 6 of Meyer get progressively larger than the rigid plates in the previous layer. Specifically, the surface area ratio of the rigid plates in one layer to the larger rigid plates of the next layer in Fig. 6 of Meyer is 1:3.2 (col. 5, l. 41). Each successively larger rigid plate in Meyer serves to distribute the force of the bullet over successively larger surface areas. In the claimed invention, however, there is no such increase in deformable piece size in each adjacent layer because the purpose of the offset pieces is not to redistribute the force of the bullet over a larger area. Instead, the pieces are offset so that a projectile that passes between two pieces of one layer will be caught by a piece from a successive layer. Because Claim 19 should not be rejected, and because Claim 20 differs in its own right from Fig. 6 of Meyer, Meyer does not teach each and every element of Claim 20. Therefore, Meyer does not anticipate Claim 20 of the claimed

invention and Applicant respectfully request Examiner to withdraw this rejection.

With regards to Examiner's rejection of Claim 27 (which depends from Claim 16) in light of Fig. 3 of Meyer, Applicant respectfully refers Examiner to all of the arguments against rejection of Claims 15 and 16 above. Because Meyer does not teach each and every element of Claim 27, including the limitations contained in Claims 15 and 16, Meyer does not anticipate Claim 27 and Applicant respectfully requests Examiner to withdraw this rejection.

With regards to Examiner's rejection of Claim 28 (which depends from Claim 27) in light of layers 2', 4' and 6' in Fig. 3 of Meyer, Applicant respectfully refers Examiner to all of the arguments against rejection of Claims 15, 16 and 27 above. Because Meyer does not teach each and every element of Claim 28, including the limitations contained in Claims 15 and 16, Meyer does not anticipate Claim 28 and Applicant respectfully requests Examiner to withdraw this rejection.

Finally, Examiner has rejected Claims 29 and 30 on the basis that "Meyer discloses detachably connected impact pieces 7 that are comprised of glass fibers." With respect to the rejection of Claims 29 and 30 based on the disclosure in Meyer of the use of "glass fibers", Applicant refers Examiner to the arguments against rejection of Claims 5, 6, 7 and 19 because Meyer actually discloses glass fibers impregnated with resins, which creates the "rigid plates" used in the Meyer invention. As to Examiner's statement that it "is not known what applicant means by 'loosely-entangled'," Applicant refers Examiner to paragraph 0057 of the published application for the present invention, wherein the term "**entangling**" is understood as "a generic term including the actions of carding, entangling, wrinkling, rumpling, disheveling, etc. which action has the purpose of arranging the threads and fibers aleatory and, even **loosely**, accommodated into a formless, shapeless, amorphous, body or mass..." (Emphasis added). In light of the disclosure in paragraph 0057 of the published application, Applicant respectfully states that the meaning of the term "loosely-entangled" can be easily discerned from the specification as originally submitted. Because Meyer does not teach each and every element of Claims 29 and 30 (as amended), including the limitations of Claims 15 and 16, Meyer does not anticipate Claims 29 and 30. Therefore, Applicant respectfully requests Examiner to withdraw these rejections.

CONCLUSION

Applicant has adopted the Examiner's suggestions and believes the claims are in condition for allowance. It is respectfully urged that the subject application is patentable over references cited by Examiner and is now in condition for allowance. Applicant requests consideration of the application and allowance of the claims. If there are any outstanding issues that the Examiner feels may be resolved by way of a telephone conference, the Examiner is cordially invited to contact David Carstens at 972.367.2001.

The Commissioner is hereby authorized to charge any additional payments that may be due for additional claims to Deposit Account 50-0392.

Respectfully submitted,

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Date: March 10, 2006
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